

Strengthening Child Passenger Safety Laws

Increase Car Seat and Belt Use Decrease Crash Fatalities and Injuries

Traffic crashes are a leading cause of death in the United States. All 50 states, the District of Columbia, Puerto Rico, and the U.S. Territories have child passenger safety laws ("car seat laws"). However, many of these laws have serious gaps and exemptions in coverage which diminish the protection that all children need in motor vehicles.

Close Gaps Between Belt Laws and Child Safety Laws

- Raise the age limit on child restraint laws to cover up to age 16. Most laws cover babies and children up to about 5 years of age, and one-third of them protect children over 6 years old. However, older children may not be protected adequately by your state's belt use law. For example, in most states a 10-year old can legally ride in the back seat without being secured because the laws in those states apply only to front seat occupants. Also, the belt use laws in most states permit only secondary enforcement.
- Make the driver responsible for restraint use by all children under 16 years of age. Safety belt laws in a number of states assign responsibility to the parent or guardian, who may not be the driver—or even be in the car. Also, child passenger laws in some states do not assign responsibility to any specific adult, making them difficult to enforce. In addition, some laws contain unnecessary exemptions for drivers who are not the vehicle owner or who are not related to the children being carried.

- Child restraint laws should specifically make it illegal to carry kids in the cargo area of pickup trucks. NHTSA's "Kids Aren't Cargo" campaign seeks to encourage closing this legislative gap.

Upgrade Child Safety Laws— Eliminate Exemptions

- Require child restraint systems (car seats) for children up to 4 years old and 40 lbs. Older children can be restrained with child restraint systems (appropriate for the child's size and weight) or safety belts, if they fit properly.
- Eliminate exemptions for overcrowded vehicles. In nearly half of the states, children can ride unsecured if all safety belts are in use.
- Eliminate the exemption for "attending to the personal needs of the child." This encourages adults to carry children in their laps during feeding or other activities. That behavior is highly risky. For example, 37 percent of the babies who died in California crashes in 1989 were riding on laps.

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Exemptions *(continued)*

- Tighten the guidelines for issuing medical waivers that allow children with special medical needs to ride unrestrained. Advances in child restraint systems have made it possible to accommodate children with almost any type of cast or physical disability.
- Eliminate exemptions for out-of-state vehicles, drivers, and children. Currently children in nearly half of the states are not required to be secured if the vehicle or driver is from another state. Children need to be protected, even when they're in a vehicle which is just "passing through" or with a family with an out-of-state license.

Conduct Combined Public Awareness and Enforcement Campaigns

- Publicity and enforcement must go hand-in-hand. The publicity should educate the public about the importance of proper child passenger protection. The enforcement campaign should include information on correct use as well as publicity to raise public awareness of the law and its enforcement.
- Raise awareness of vehicle/child safety seat compatibility. Many parents and others who transport children do not understand the potential deadly results from a child seat that is not secured safely and securely in a vehicle.

Everyone using a child safety seat should remember three things:

- **read the instructions for the child safety seat;**
- **read the vehicle owner's manual; and,**
- **test for a snug, secure fit.**

Urge Parents To Carry Children In The Rear Seat

- *The rear seat is the safest place for children of all ages.*
- *Infants (less than one year of age) should never be carried in the front seat of a car or truck with a passenger-side air bag.*
- *Infants must always ride in the rear seat, facing the rear of the car.*
- *Children should not ride with the shoulder belt tucked under their arm or behind their back.*
- *Make sure everyone is correctly buckled up. Unbelted, or improperly belted occupants can be hurt or killed by the deploying air bag.*

These reports and additional information are available through your State Office of Highway Safety, the NHTSA Regional Office serving your state, or from NHTSA Headquarters, Traffic Safety Programs, NTS-10, 400 Seventh Street, S.W., Washington, D.C. 20590.